

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 3566 - SB 3567

March 1, 2010

SUMMARY OF BILL: Increases the penalty from a Class E to a Class D felony for perjured sworn testimony before committees of the General Assembly.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$14,200/Incarceration*

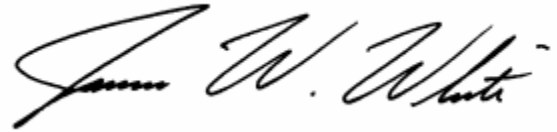
Assumptions:

- According to the Department of Correction (DOC), there has been an average of one admission for perjury in each of the past 10 years.
- According to DOC, the average operating cost per offender per day for calendar year 2010 is \$59.86. The average post conviction time served for a Class E is 1.31 years (478.48 days) and 1.96 years (715.89 days) for a Class D. One offender per year will serve an additional 0.65 years as a result of increasing the average sentence from a Class E to a Class D felony (1.96 years – 1.31 years). The cost per offender at 1.96 years is \$42,853.18 and the cost per offender at 1.31 years is \$28,641.81. Increasing the average sentence for perjury will result in an increase in incarceration costs of \$14,211.37 (\$42,853.18 - \$28,641.81).
- Any increase in the caseloads for state trial courts can be accommodated within existing resources without an increased appropriation.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/lsc